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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,318	08/04/2000	Terry Warren	72189/98103A	1696

27934 7590 12/02/2002

NETZERO INC.
2555 TOWNSGATE RD.
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EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/632,318	WARREN, TERRY
	Examiner Srirama Channavajjala	Art Unit 2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 August 2002.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-42 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A **new title** is required that is clearly indicative of the invention to which the claims are directed.

Drawings

2. The drawings are **objected** to by the Draftsperson under 37 CFR 1.84 or 1.152 [see PTO-948], formal drawings are required in response to this office action, paper no. # 4.

Information Disclosure Statement

3. The information disclosure statement filed on 9/24/2002, paper no. # 3 has been considered and a copy was enclosed. [see paper no. # 4].

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sutcliffe et al. [hereafter Sutcliffe], US Patent No. 6253216 further in view of Brown et al. [hereafter Brown], US Patent No. 6026368.

5. As to Claims 1,11,21,31,41, Sutcliffe teaches a system which including 'customized Internet access client user interface' [see Abstract, fig 1, col 5, line 60-64] 'selecting a first program object from a first set of available program objects based in part upon profile data associated with a local device' [col 8, line 18-22], Sutcliffe teaches template page in which several fields have been provided, such as user ID field, field name, value field and like as detailed in fig 4, further Sutcliffe also suggests for example personal page menu element 160 that may be accessed from a personal On-line network [see col 8, line 34-35], examiner interpreting local device corresponds to the devices which are connected to the network for example printer, display device and like [see fig 1]. As best understood by the examiner, Sutcliffe teaches user interface, personal page menu and template, further it is also noted that template is a world wide web style page design which includes graphics and page layout information, also Sutcliffe suggests user entries or selections makes personalized template page

[see col 8, line 47-54], therefore, Sutcliffe specifically teaches user interface template, and software is typically part of the Sutcliffe's system because Sutcliffe teaches for example HTML, HTTP protocols that are related to Internet for receiving and sending of information, examiner interpreting profile data corresponds to Sutcliffe's user information table that specifically directed to collect user information as detailed fig 3, element 126, program objects corresponds to Sutcliffe's menu, images, icons and like as detailed in col 10, line 63-64, col 9, line 26-27, 'selecting a first program resource from a first set of available program resources based in part upon the profile data' [Abstract, col 5, line 8-14, col 6, line 39-61], examiner interpreting program resources corresponds to commands, scripts or CGI program, Unix Shell and like as suggested in col 6, line 46-50, line 65-67], 'sending the first program object to the local device' [col 7, line 24-30, line 44-51], 'sending the first program resource to the local device' [fig 1 col 2, line 54-61, col 6, line 1-5], local device corresponds to remote user's computer terminal as detailed in fig 2, element 70, further it is noted that first program, second program, third program that are associated with template, program resources are well known in the art because these programs and resources are part of client-server network architecture [col 6, line 27-30] , more specifically Sutcliffe specifically directed to personals on line network includes at least one server computer which can be accessed by remote users, further local computer network also has at least one computer software program and at least one database to maintain user defined information as detailed in col 2, line 35-39, fig 1-2; 'local device to associate the first program object with the first program resource to form a first program component [Abstract, col 2, line

30-39], 'local device to assign the first program component to a first slot associated with a template for an Internet access client user interface' [col 3, line 1-5, col 8, line 34-39, line 42-46, fig 1-2], template corresponds to Sutcliffe's template as detailed in fig 4A, element 188, slot corresponds to various fields that are related to template page layout information as suggested in col 8, line 50-54]. It is however, noted that Sutcliffe does not teach 'rules', more specifically 'first rule', 'second rule', 'third rule', 'fourth rule', 'fifth rule'. On the other hand, Brown et al. teaches rules, more specifically rules that is related to various program objects [see fig 6, element 101,110, col 9, line 34-36], examiner interpreting rules corresponds to more than one rule, in other words, first rule, second rule and like, further it is noted that Brown specifically teaches rule_id that uniquely identify the specific rule, examiner interpreting first rule, second rule and like are identified by rule_id[see table 7].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Brown et al., into providing personal page information on a network of Sutcliffe et al. because both are directed to accessing on-line network, more specifically Brown et al. directed to on-line interactive system for providing content and information to the users [see Abstract, fig 1], Sutcliffe is directed to remote user accessing network, specifically remote users accessing template page using Internet [see Abstract, fig 1-2], and they both are directed to interactively retrieving information and both from the same field of endeavor. One of ordinary skill in the art at the time of the invention would have been motivated to modify Slutcliffe's fig 2

to incorporate "RULES" that are related to various program objects of Brown et al. because that would have allowed users of Sutcliffe's remote users to authorize other to users not only access personal page but also maintain rule related information in the user information table of Sutcliffe's fig 3, further control which relative information of individual users based on user ID satisfies his or her needs as suggested by Brown et al. [51-62], thus improving reliability, quality and versatility of the system.

6. The elements of Claims 3,6,13,16,23,26, and 33, 36 are rejected in the analysis of Claim 1,11,21,31, 41 above and rejected on that basis.

7. As to Claim 2, 12,22, and 32, the limitations of this claim have been noted in the rejection of Claim 1,11,21,31 above. In addition, Sutcliffe teaches 'local device defining the template and defining slots associated with the template for receiving program components, said slots comprising the first slot and second slot' [fig 3, 4A, col 8, line 47-54], first and second slots are part of the personal page menu element 160, further it is noted that template may have a number of fields that include user selection or entries which personalize the template page as suggested in col 8, line 49-54]. On the other hand, Brown et al. teaches rules, more specifically rules that is related to various program objects [see fig 6, element 101,110, col 9,line 34-36], examiner interpreting rules corresponds to more than one rule, in other words, first rule, second rule and like.

8. As to Claims 4, 14,24,34, Brown teaches a system which including 'sending the first and second rules to the local device is performed during a first session' [col 16, line 64-67, col 17, line 30-35, table 9], 'sending the third rule to the local device is performed during a second session, the second session occurring in time before the first session' [col 13, line 28-36, col 20, line 50-62, table 11, table 9], Brown specifically teaches rule_id that uniquely identify the specific rule, examiner interpreting first rule, second rule and like are identified by rule_id, similarly first session, second session and like corresponds to session Id that identifies current user session as detailed in table 9.

9. As to Claims 5,8,15,18,25,28,35,38, Brown teaches a system which including 'profile data is received from the local device' [col 7, line 25-31], on the other hand, Brown teaches session [see table 9], first session, second session and like corresponds to session Id that identifies current user session as detailed in table 9.

10. As to Claims 7,17,27,37, Brown teaches a system which including 'first and second rules are set as a single rule' [fig 6, element 101, 110, col 13, line 28-34, table 7], Brown specifically teaches for example rule editor, element 110 for editing rules based on rule_id, examiner interpreting first and second rules would have been possible edited to set as a single rule as new rule for specific target contents or profile of segments analysis as suggested by Brown col 13, line 61-64.

11. As to Claims 9,19,29,39, Sutcliffe teaches a system which including 'first program resource is an executable computer program programmed to cycle through available customized user interfaces' [fig 1-2, col 6, line 38-45, col 7, line 24-30], examiner interpreting customized user interfaces corresponds to Sutcliffe's displaying of personal page template col 8, line 55-56.

12. As to Claims 10,20,30,40, Sutcliffe teaches a system which including 'profile data comprises statistics regarding use of client application associated with the local device' [col 5, line 8-15, also see fig 3, fig 5], statistics regarding use of client application corresponds to fig 3.

13. As to Claim 42, Sutcliffe teaches a system which including 'selecting the first program object and the first program resource are further based in part upon profile data associated with the local device' [col 8, line 18-22], Sutcliffe teaches template page in which several fields have been provided, such as user ID field, field name, value field and like as detailed in fig 4, further Sutcliffe also suggests for example personal page menu element 160 that may be accessed from a personals On-line network [see col 8, line 34-35], examiner interpreting local device corresponds to the devices which are connected to the network for example printer, display device and like [see fig 1], further it is noted that Sutcliffe teaches program resources [col 5, line 8-14, col 6, line 39-61], examiner interpreting program resources corresponds to commands, scripts or CGI program, Unix Shell and like as suggested in col 6, line 46-50, line 65-67], profile data

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associated with the local device corresponds to fig 3 because user ID are associated with respective template(s), client Ids.

Conclusion

The prior art made of record

- a. US Patent No. 6253216
- b. US Patent No. 6026368

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

- c. US Patent No. 5987480
- d. US Patent No. 5692157
- e. US Patent No. 5848396
- f. US Patent No. 6052732
- g. US Patent No. 6163776
- h. US Patent No. 5737619
- i. US Patent No. 5999178
- j. US Patent No. 6237022
- k. US Patent No. 6389469
- l. WO 00/17789
- m. C.Mic Bowman et al. Harvest: A scalable,

customizable discovery and access system, technical report CU-CS-732-94,
department of computer sciences, University of Colorado, March 1995, pages 1-29.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	(After Final Communication)
703/746-7239	(Official Communications)
703/746-7240	(For Status inquiries, draft communication)
(703) 308-6606	(Art Unit)

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

SC 
Patent Examiner.
November 26, 2002.